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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

IN THE MATTER OF THE) CRIMINAL NO. 4:05-00490
UNITED STATES OF AMERICA)
EXTRADITION OF) (Judge Jones)
ALEXANDER WINSTON SYLVESTER

**EXTRADITION CERTIFICATION
AND ORDER OF COMMITMENT**

This matter came on for hearing on January 18, 2006, pursuant to 18 U.S.C. § 3184 following the provisional arrest of the Alexander Winston Sylvester upon formal request of the Embassy of Canada for extradition and temporary surrender. Warrants of arrest has been issued charging Alexander Winston Sylvester with numerous crimes allegedly committed in Ontario, Canada.

The Court, having considered the evidence presented by the United States, specifically the documentary evidence introduced on behalf of Canada, Alexander Winston Sylvester's opposition to extradition, and argument of counsel, finds as follows:

1. Numerous criminal charges are pending against the Defendant Alexander Winston Sylvester in Ontario, Canada, alleging violations of the Canadian Criminal Code, including rape, possession of a weapon for the purposes of committing the indictable offense of rape, kidnaping, robbery (two counts), forcible confinement (two counts), sexual assault with a weapon

(two counts), threatening to cause death (three counts), and disguised with intent. Although Sylvester is already serving a sentence at Allenwood for a federal crime within the United States and is in custody, a pro forma provisional Warrant of Arrest was issued by this Court. The acts upon which the Canadian government charged the defendant, Alexander Winston Sylvester, are proscribed, as felonies, by similar criminal provisions of federal law and law of the Commonwealth of Pennsylvania.

2. The crimes with which the Defendant Sylvester is charged in the Court of Canada are included in the provisions of the 1971 Extradition Treaty between the United States of America and Canada, as amended, and its attached Schedule.

3. The individual named Alexander Winston Sylvester before this Court is, in fact, the same individual charged in the Warrant of Arrest and the subject of the request for extradition and temporary surrender by Canada.

4. The evidence before the Court establishes probable cause that Alexander Winston Sylvester committed the crimes alleged by the government of Canada, and the evidence is sufficient, in that probable cause has been established, to sustain the charge for which Canada seeks extradition under the provisions of the 1971 Extradition Treaty between the United States and Canada, as amended.

For the foregoing reasons, this matter is certified to the

Secretary of State, together with a copy of all testimony taken before this Court, in order that a warrant may issue upon the requisition of the proper authorities of Canada for the extradition and temporary surrender of said Alexander Winston Sylvester according to the provisions of the treaty provisions between the United States of America and Canada.

It is further ORDERED that Alexander Winston Sylvester is committed to the custody of the United States Marshal, or his authorized representative, to be confined to appropriate facilities and to remain there until he is surrendered to Canada pursuant to applicable provisions of treaty and law. It is further ORDERED that the Attorney for the United States shall obtain transcripts of all testimony presented before the Court and shall deliver forthwith the said transcripts of testimony to the Clerk. The Clerk shall forward to the Secretary of State a copy of this Certification and Order together with transcripts of testimony and copies of documents received as evidence.

ENTERED this _____ day of January, 2006.

JOHN E. JONES, III
UNITED STATES DISTRICT COURT JUDGE
